

In re Patent Application of

Atty Dkt. 249-243

BOX PCT

C# M#

SHITARA, K. et al.

Group Art Unit: Unassigned

Serial No. 10/009,723

Examiner: Unassigned

Filed: December 17, 2001

Date: March 5, 2003

Title: DIAGNOSTIC AGENT AND THERAPEUTIC AGENT FOR DISEASE RELATED TO
MONOCYTE AND MACROPHAGEAssistant Commissioner for Patents
Washington, DC 20231

Sir:

RESPONSE/AMENDMENT/LETTER

This is a response/amendment/letter in the above-identified application and includes an attachment which is hereby incorporated by reference and the signature below serves as the signature to the attachment in the absence of any other signature thereon.

☒ **Correspondence Address Indication Form Attached.****Fees are attached as calculated below:**

Total effective claims after amendment 0 minus highest number
previously paid for 20 (at least 20) = 0 x \$ 18.00 \$ 0.00

Independent claims after amendment 0 minus highest number
previously paid for 3 (at least 3) = 0 x \$ 84.00 \$ 0.00

If proper multiple dependent claims now added for first time, add \$280.00 (ignore improper) \$ 0.00

Petition is hereby made to extend the current due date so as to cover the filing date of this
paper and attachment(s) (\$110.00/1 month; \$410.00/2 months; \$930.00/3 months) \$ 0.00

Terminal disclaimer enclosed, add \$ 110.00 \$ 0.00

☐ First/second submission after Final Rejection pursuant to 37 CFR 1.129(a) (\$750.00) \$ 0.00

☐ Please enter the previously unentered , filed

☐ Submission attached

Subtotal \$ 0.00

If "small entity," then enter half (1/2) of subtotal and subtract -\$ 0.00

☐ Applicant claims "small entity" status. ☐ Statement filed herewith

Rule 56 Information Disclosure Statement Filing Fee (\$180.00) \$ 0.00

Assignment Recording Fee (\$40.00) \$ 0.00

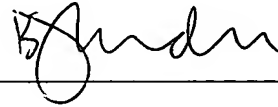
Other: Response; Copy of Letter 2/20/03; Copy of Notification of Defective Response (8/28/02); Copy of
Response (9/12/02); Copy of OIPE Date-stamped Post Card Receipt; Copy of Post Card Receipt (4/12/02);
Copy of Notification of Missing Requirements (2/12/02); Copies of Cover Sheet; Amendment; Statement;
Sequence Listing (4/12/02) 0.00

TOTAL FEE ENCLOSED \$ 0.00

The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or
asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this
firm) to our Account No. 14-1140. A duplicate copy of this sheet is attached.

1100 North Glebe Road, 8th Floor
Arlington, Virginia 22201-4714
Telephone: (703) 816-4000
Facsimile: (703) 816-4100
BJS:plb

NIXON & VANDERHYE P.C.
By Atty: B. J. Sadoff, Reg. No. 36,663

Signature: 

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| Terminal disclaimer enclosed, add \$ 110.00 | \$ 0.00 |
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☐ Please enter the previously unentered , filed

☐ Submission attached

Subtotal \$ 0.00

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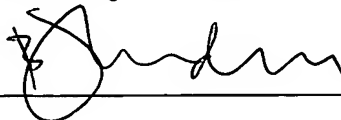
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NIXON & VANDERHYE P.C.
By Atty: B. J. Sadoff, Reg. No. 36,663

Signature: _____



Please type a plus sign (+) inside this box →

+

PTO/SB/121 (10-00)

Approved for use through 10/31/2002. OMB 0651-0035

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

CORRESPONDENCE ADDRESS INDICATION FORM

Address to:

Assistant Commissioner for Patents
Box CN
Washington, DC 20231

Direct all correspondence to:

**Customer Number:****23117**

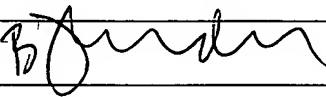
Place Customer
Number Bar
Label Here →

OR*Type Customer Number here*

Request for Customer Number (PTO/SB/125) submitted herewith.

in the following listed application(s) or patent(s):

| Patent Number (if appropriate) | Application Number | Patent Date (if appropriate) | U.S. Filing Date |
|-----------------------------------|--------------------|---------------------------------|---------------------|
| | 10/009,723 | | December 17, 2001 |
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|--------------------------|---|---|
| Typed or Printed Name | B. J. Sadoff | (check one) <input type="checkbox"/> Applicant or Patentee <input type="checkbox"/> Assignee of record of the entire interest. Statement under 37 C.F.R. § 3.73(b) is enclosed. (Form PTO/SB/96) <input checked="" type="checkbox"/> Attorney or Agent of record <div style="text-align: right;">36,663 (Reg. No.)</div> |
| Signature |  | |
| Date | March 5, 2003 | |
| Address of signer: | 1100 North Glebe Road, 8 th Floor Arlington, VA 22202 | |

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

☒ *Total of 1 forms are submitted.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS: SEND TO: Assistant Commissioner of Patents, Box CN, Washington, DC 20231.

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For: DIAGNOSTIC AGENT AND THERAPEUTIC AGENT FOR DISEASE RELATED
TO MONOCYTE AND MACROPHAGE

* * * * *

March 5, 2003

Assistant Commissioner for Patents
Washington, DC 20231

BOX PCT

Sir:

RESPONSE

Responsive to the Letter dated February 20, 2003 (copy attached), notifying the undersigned that the above-identified application has become abandoned for allegedly failing to respond to the Notification of Defective Response dated August 28, 2002, the undersigned attaches a copy of the applicants Response dated September 12, 2002 to the Notification of Defective Response dated August 28, 2002. Also attached is a copy of the undersigned's OIPE date-stamped acknowledgement of receipt of the indicated items, including the Response filed September 12, 2002, a copy of the Notification of Defective Response dated August 28, 2002, a copy of the applicants postcard receipt from April 12, 2002, a copy of the Notification of Missing Requirements dated February 12, 2002, a

copy of the cover sheet, Amendment, Statement and Sequence Listing filed April 12, 2002. Further copies of all of these items are attached.

Withdrawal of the abandonment of the above-identified application is requested as the applicants timely responded to the Notification of Defective Response mailed August 28, 2002.

Upon receipt of the attached Letter dated February 20, 2003, the undersigned telephoned Mr. Jeremy Fleming, paralegal specialist, PCT Legal Office, to investigate what may be required in response to the Letter to have the abandonment withdrawn. The undersigned has left Mr. Fleming a message and, to date, has not received a response. The Office is requested to advise the undersigned, preferably by telephone, with what further may be required to have the Patent Office records corrected with the abandonment of the above-identified application, and to comply with any further indicated requirements.

The undersigned notes, for completeness, that the attached Notification indicates a Sequence Listing is required to fulfill the requirements of 35 U.S.C. §371 and yet the undersigned finds no such requirement under the same. The Office is requested to specifically indicate where 35 U.S.C. §371 requires submission of a Sequence Listing.

SHITARA, K. et al.
Serial No. 10/009,723

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: _____



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Reg. No. 36,663

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